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9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
11 AT TACOMA

12 CALVIN ROUSE (AKA) ABDURRASHID
13 KAHLIF,

14 Plaintiff,

15 v.

16 THE WASHINGTON STATE
17 DEPARTMENT OF CORRECTIONS *et al.*,

18 Defendants

Case No. C08-5620FDB/JKA

ORDER

19 This action, brought under 42 U.S.C. 1983, has been referred to the undersigned Magistrate
20 Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Before the court is plaintiff's request for
21 permission to amend the complaint (Dkt # 7). Plaintiff does not need leave of court to file an
22 amended complaint prior to an answer or motion for summary judgement being filed. Plaintiff may
23 amend his complaint "once as a matter of course." See, Fed. R. Civ. P 15 (a).

24 The amended complaint will act as a complete substitute for the original. Plaintiff is
25 reminded, he must provide a copy of the complaint and filled out Marshals' service form for each
26 party he wishes the United States Marshals Service to attempt to serve by mail.
27

28 ORDER - 1

The amended complaint will be due on or before **January 9, 2009**. Failure to amend the complaint will act as a waiver of plaintiff's right to file an amended complaint and the complaint currently on file will become the final complaint allowed in this action.

The Clerk is directed to send a copy of this Order to plaintiff and counsel for the defendants and to remove Dkt. # 7 from the courts' calendar.

DATED this 3 day of December, 2008.

/s/ J. Kelley Arnold
J. Kelley Arnold
United States Magistrate Judge